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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,292	09/13/2000	Koshio Kuwakino	0879-0275P	7762

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EXAMINER

HARRINGTON, ALICIA M.

ART UNIT PAPER NUMBER

2873

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/661,292

Applicant(s)

KUWAKINO, KOSHIO

Examiner

Alicia M Harrington

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Kaneko et al (US 6,035,137).

Regarding claim 1, Kaneko discloses a lens drive (12) device comprises a motor (zoom or focus or iris; see col. 1, lines 60-65; col. 2, lines 10-53); a storage means which stores information prescribing a braking characteristic of the moving object driven by the motor, input device and braking characteristic setting device (see also col. 3, lines 56-67; col. 6, lines 5-25; col. 7, lines 1-5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneko et al (US 6,035,137), as applied above in claim 1.

Regarding claim 2, Kaneko discloses a TV camera with lens. However, Kaneko fails to specifically disclose a display. Although, a camera (film or video) is notoriously well known in the art to contain a display for display image data as well as other camera information, such as exposure information, and the Examiner takes official notice to this fact. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display braking characteristics (zoom, focus, iris etc) on a display, since it is known in the art to display exposure data and such information is pertinent the user artistic imaging expression (i.e. Creating effects of shadows in the image, darkening of foreground or background))- increase versatility in the use of the camera.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneko, applied above in claim 1, further in view of Miyano et al. (US 5,859,733).

Regarding claim 3, Kaneko discloses a camera system with lens. However, Kaneko fails to specifically disclose a display. Although, it is well known in the art to for lens to comprise a portion that displays information, as taught by Miyano et al.

In the same field of endeavor, Miyano discloses a lens frame that displays object distance and lens focus information (see abstract; col. 6, lines 38-49 and col. 7, lines 29-51; col. 9, 60-66

and col. 10, lines 1-9; see figures 1, 5 and 12). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaneko's lens barrel to include a display, as taught by Miyano, as such provides an indication of information related to the lens in a simple structure, as taught by Miyano. However, Kaneko and Miyano fail to specifically disclose displaying braking characteristics (zoom, focus, iris data) on a display. Although, a camera (film or video) is notoriously well known in the art to contain a display for displaying several types of information, such as exposure information, and the Examiner takes official notice to this fact. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display braking characteristics (zoom, focus, iris etc) on a display, since it is known in the art to display exposure data and such information is pertinent the user artistic imaging expression (close up, panoramic etc)- increase versatility in the use of the camera.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneko et al (US 6,035,137).

Regarding claim 4, Kaneko discloses a lens drive (12) device comprises a motor (zoom or focus or iris; see col. 1, lines 60-65; col. 2, lines 10-53); a storage means which stores information prescribing a braking characteristic of the moving object driven by the motor, input device and braking characteristic setting device (see also col. 3, lines 56-67; col. 6, lines 5-25; col. 7, lines 1-5). Kaneko discloses a TV camera with lens. However, Kaneko fails to specifically disclose a display. Although, a camera (film or video) is notoriously well known in the art to contain a display for display image data as well as other camera information, such as exposure information, and the Examiner takes official notice to this fact. Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to display braking characteristics (zoom, focus, iris etc) on a display, since it is known in the art to display exposure data and such information is pertinent the user artistic imaging expression (i.e. Creating effects of shadows in the image, darkening of foreground or background))- increase versatility in the use of the camera. Further, it would have been obvious to one of ordinary skill in the art at the time the invention was made to update the information as the data changes (new zooming rate or new iris stop etc).

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M Harrington whose telephone number is 703 308 9295. The examiner can normally be reached on Monday - Thursday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 703 308 4883. The fax phone numbers for the organization where this application or proceeding is assigned are 703 308 7724 for regular communications and 703 308 7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.

Alicia M Harrington  
Examiner  
Art Unit 2873

AMH   
September 25, 2002

  
Georgia Epps  
Supervisory Patent Examiner  
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